

**BEFORE THE ARKANSAS HVAC/R LICENSING BOARD**

**IN THE MATTER OF TIMOTHY J. PRAUGHT, RESPONDENT**

**CASE NO. KB03252024A**

**FINDINGS OF FACT, CONCLUSION OF LAW, AND ORDER**

A hearing in this matter was held at 10:00 a.m. on September 11, 2024, before the Arkansas HVAC/R Board (“Board”) located at 900 West Capitol Ave., Suite 400, Little Rock, AR 72201. Timothy J. Praught (“Respondent”) appeared in person on his own behalf. The Arkansas Department of Labor and Licensing General Counsel Daniel L. Parker appeared on behalf of the Board. From all the evidence presented the Board makes the following Findings of Fact, Conclusions of Law, and Order.

**FINDINGS OF FACT**

1. On March 21, 2024, HVAC/R Board field inspector Kerry Baker (“Baker”) conducted an inspection of a construction site on Rustic Lane in Ash Flat, Arkansas, consisting of ten (10) homes under construction, each with a separate property address.
2. A copy of the inspection report was authenticated by Baker, received in evidence at the hearing, and is attached hereto as Exhibit A.
3. Baker’s investigation revealed that Respondent, the owner of the property, had installed the HVAC system in all homes, and that Respondent was not licensed to perform HVAC work. Baker’s investigation also revealed numerous code violations, and he instructed Respondent to secure a licensed HVAC contractor to make corrections and complete the installations.
4. At the hearing, Respondent testified that he had secured a licensed HVAC contractor to make corrections and complete the installations, and promised to cooperate to accomplish final inspections of each of the HVAC systems.
5. Respondent committed ten (10) violations of knowingly performing HVAC work without the required license in violation of Arkansas Code § 17-33-301 and one (1)

violation of Arkansas Code § 17-33-304 for failing to display a valid HVAC/R License Number.

6. After hearing all the evidence presented and conducting further deliberations, the Board found it appropriate to assess a civil penalty pursuant to Arkansas Code § 17-33-105 of two hundred fifty dollars (\$250) for each of five (5) of the violations for performing HVAC work without the required license and a civil penalty of two hundred fifty dollars (\$250) for the failure to display a valid HVAC/R License.

#### **CONCLUSIONS OF LAW**

1. Respondent's actions constitute ten (10) violations of Arkansas Code § 17-33-301 for performing HVAC work without the required license, and one (1) violation of Arkansas Code § 17-33-304 for the failure to display a valid HVAC/R License.
2. Pursuant to Arkansas Code § 17-33-105, Respondent should be assessed a civil penalty of two hundred fifty dollars (\$250) for each of five (5) of the violations for performing HVAC work without the required license and a civil penalty of two hundred fifty dollars (\$250) for the failure to display a valid HVAC/R License.

#### **ORDER**

1. Based upon the foregoing Findings of Fact and Conclusions of Law, Respondent is found guilty of ten (10) counts of violating Arkansas Code § 17-33-301 for performing HVAC work without the required license and one (1) violation of Arkansas Code § 17-33-304 for the failure to display a valid HVAC/R License.
2. Respondent is hereby assessed a total civil penalty of one thousand five hundred dollars (\$1,500.00) pursuant to Arkansas Code § 17-33-105.

**Pursuant to Arkansas Code § 25-15-212 of the Arkansas Administrative Procedure Act, Arkansas Code § 25-15-201 et seq., Respondent may petition for judicial review of this decision by filing a petition in the Circuit Court in the County in which he resides or does business or in the Circuit Court of Pulaski County within thirty (30) days after service of this Order.**



HEATING, VENTILLATION, AIR CONDITIONING and  
REFRIGERATION LICENSING BOARD,  
DEPARTMENT OF LABOR AND LICENSING,  
STATE OF ARKANSAS

By:   
Alan Dean, Chairman

Date: 9-18-2024

Approved as to form:

/s/ Daniel L. Parker

Daniel L. Parker

Ark. Bar No. 87130

General Counsel

Arkansas Department of Labor and Licensing

**CERTIFICATE OF SERVICE**

I, Samantha L. Martinez, do hereby swear and affirm that a true and correct copy of the above and foregoing was sent via regular and certified mail, # \_\_\_\_\_, to the following on this 24 day of September, 2024:

Respondent

Timothy J. Praught

1547 AR 354

Hardy, Arkansas 72542

Batch #: 9

Article #: 92148969009997902402048458

Date/Time: 9/24/2024 1:16:54 PM

Internal File #:

Internal Code:

Samantha L. Martinez

Code Enforcement Coordinator Supervisor

Arkansas Department of Labor and Licensing